

District Judge Kymberly K. Evanson

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORTHWEST IMMIGRANT RIGHTS
PROJECT,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY; and U.S.
IMMIGRATION AND CUSTOMS
ENFORCEMENT,

Defendants.

Case No. 2:23-cv-01127-KKE

STIPULATION FOR ADDITIONAL
TIME TO FILE A JOINT STATUS
REPORT AND ORDER

STIPULATION

The parties have continued to work together in response to the Court's April 1, 2024 Order. Dkt. 23. In particular, ICE processed and released additional materials by April 19, 2024 in response to the 12 items Plaintiff identified. ICE currently understands it has adequately searched, located, and appropriately released all non-exempt materials responsive to Plaintiff's FOIA request, including the additional items NWIRP identified.

After reviewing ICE's production, the parties met and conferred and NWIRP explained

1 that the production remained incomplete for at least 2, and potentially 4, key items.¹ This
2 includes footage from security cameras leading up to, and including, the two deployments of the
3 chemical agent; footage from a handheld camera of the time of, and surrounding, the second
4 deployment; documents related to authorization of use of force; and any documents related to a
5 meeting with ICE Office of Inspector General regarding the incident in question. ICE is looking
6 into whether such documents and/or video actually exist and hopes to have that information
7 shortly.

8 If such materials are located, the parties have agreed to meet and confer on a production
9 schedule. If such materials are not located, then the parties believe briefing may be appropriate.
10 What comes next depends on what ICE learns regarding these four items. ICE is tracking that
11 information down and has shared some preliminary findings with Plaintiff, but needs a brief
12 amount of additional time to complete the task. Counsel for the parties have a good working
13 relationship and are working well to continue to narrow and resolve these final issues. Based on
14 this, and the fact that the parties do not believe they can propose a meaningful schedule until ICE
15 learns the additional information outlined above, the parties agree and stipulate to a one-week
16 extension to file a supplemental joint status report that would include a proposed briefing
17 schedule, if necessary. The parties submit there is good cause for this brief extension.

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24 ¹ NWIRP stated that some additional items were not provided, but it was focusing on the ones it believed to be the most relevant and important to its overall efforts to ensure accountability regarding the incident in question.

1 DATED this 29th day of April, 2024.

2 Respectfully submitted,

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4 United States Attorney

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23 I certify that this memorandum contains 355 words, in
24 compliance with the Local Civil Rules

ORDER

The Court GRANTS the parties' stipulated motion (Dkt. No. 24) for a one-week extension of the deadline to file a joint status report addressing any outstanding issues. No later than May 6, 2024, the parties shall file a joint status report, including any proposed briefing schedule.

DATED this 29th day of April, 2024.



Kymberly K. Evanson
United States District Judge